

From: Kanger, Maria
Sent: Wednesday, September 15, 2021 3:32 PM EDT
To: [REDACTED]
CC: Marybeth Sydor <MSydor@nmllplaw.com>; Andrew T. Miltenberg <AMiltenberg@nmllplaw.com>
Subject: RE: Update on Your Case

Hi [REDACTED]

Thanks for your email. I have also heard from the Complainant, and she stated that she would like to pursue the option of moving forward with a hearing. Your email indicates that you do not wish to pursue this option. If that has changed, or if you would like to talk to me about what the hearing would look like without the investigator present, please let me know.

I have also asked the Complainant to let me know if her wishes have changed or if she would like to talk to me about what an informal resolution could look like.

I will provide updates as I am able.

Thanks,
Maria

Maria Kanger
(she, her, hers)

Title IX Coordinator
Butler University

Atherton 200
317-940-6509

www.butler.edu/sexual-misconduct

Twitter: [@ButlerTIXCoord](https://twitter.com/ButlerTIXCoord)

BUTLER UNIVERSITY

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From: [REDACTED]
Sent: Monday, September 13, 2021 4:10 PM
To: Kanger, Maria <mkanger@butler.edu>
Cc: Marybeth Sydor <MSydor@nmllplaw.com>; Andrew T. Miltenberg <AMiltenberg@nmllplaw.com>
Subject: Re: Update on Your Case
Importance: High

Dear Maria,

I write in response to your Sept. 8, 2021 email regarding the postponement of the hearing that was scheduled for Sept. 2, 2021, in which the investigator at Butler selected for this case suddenly resigned, leaving me with only unfavorable options for pursuing resolution. As I indicated in previous emails, I traveled from Indiana to New York City in order to attend the hearing in a private space with my advisor. My mother traveled from Seattle to New York City to be my support. I was fully prepared for a hearing on the morning of Sept. 2nd during which my advisor would cross-examine the investigator's written summaries, i.e., *Kody Rother's statements*, and suddenly I was informed by Butler that this was no longer possible. Now, I am being asked to choose either a resolution process during which I won't be able to question perhaps the most important witness or an investigation "do-over" that will delay my eventual vindication throughout much of my junior year and leave me living under a cloud of suspicion until this is resolved.

Twice during the past six months I have proposed informal resolution and I was denied. Nevertheless, I am willing to agree to a discussion of informal resolution with you with my advisor present.

Sincerely,
[REDACTED]

On Sep 8, 2021, at 3:55 PM, Kanger, Maria <mkanger@butler.edu> wrote:

[REDACTED]

DEFT RESP_003037